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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,795	06/01/2001	Paul Azous	11929	1581

7590 06/30/2005  
Richard W. Goldstein  
2071 Clove Road  
Staten Island, NY 10304

EXAMINER

VENT, JAMIE J

ART UNIT PAPER NUMBER

2616

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/871,795

Applicant(s)

AZOUS, PAUL

Examiner

Jamie Vent

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2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06/01/2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 2,4,6,7,and 8 rejected under 35 U.S.C. 102(b) as being unpatentable by Chu et al (US 6,086,380).

#### **[claim 2]**

In regard to Claims 2, Chu et al discloses a self-contained audio and video recording system creating a personal compact disc for listening and viewing comprising:

- personal containment booth dimensioned for receiving more than one individual therein, the personal containment booth having an openable door exposing a hollow interior thereof, openable door having a mirror disposed on a back surface thereof, personal containment booth having a forward wall and opposed the personal containment booth having at least one chair secured therein (Figure 1 shows the personal containment booth with an open door 20 wherein at least one individual can be present in the booth as further described in Column 6 lines 31-61);
- video and audio recording system disposed within the personal containment booth, the video and audio recording system including a

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monitor, a hard drive, a control panel, a keyboard, video recorder, a microphone, and a speaker (Figure 1 shows the personal containment booth wherein a monitor 42, speaker 48, microphone 44, and video recorder 30 are present. It is further shown in Figure 2 a hard drive 72);

- the monitor being capable of displaying video images thereon, the video and audio recording system delivering video images to the monitor and audio signals to the speaker, the hard drive being adapted for storing the video recordings being captured the video recorder, the audio recordings being captured by the microphone, the video and audio recordings being recordable internal tapes (Column 7 Lines 27-47 describes the function of the various components of the sound booth system and further describes the hard drive functions in Column 9 Lines 18-45);
- the video and audio recording system ejecting internal tapes, the pair of disk outputs including a compact disk output and a mini disk output (Column 7 Lines 47-65 describes the various internal tapes as well as disk output takes that are available in the system. It is further described various types of camcorders and the recording mediums associated with the camcorders are used within the system. Furthermore, it is determined that carious camcorders have various recording mediums including compact disks and mini disks and thereby meeting the limitation);
- the control panel including buttons control recording and playing back of audio and video, the control panel allowing stored video and audio

recordings to be played through the monitor and speaker and edited the internal tapes; and video background monitor adapted for being removable positioned on the openable door the personal containment booth (Column 7 Lines 27-35 describes the control panel wherein buttons are used for controlling various functions and further described in Column 13 Lines 40-50); and

- the video background monitor being in communication with the video and audio recording system for playing stored music and video recordings (Column 3 Lines 9-33 describes the video background monitor used for communication with the recording device as further seen in Figure 1 background 34).

**[claim 4]**

In regard to Claim 4, Chu et al discloses a system wherein the personal containment booth has at least one chair secured therein (Figure 1 shows a secured chair 122).

**[claim 6]**

In regard to Claim 6, Chu et al discloses a self-contained audio and video recording system ejecting internal tapes, the pair of disk outputs including a compact disk output and a mini disk output (Column 7 Lines 47-65 describes the various internal tapes as well as disk output takes that are available in the system. It is further described various types of camcorders and the recording mediums associated with the camcorders are used within the system. Furthermore, it is determined that various camcorders have

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various recording mediums including compact disks and mini disks and thereby meeting the limitation).

**[claim 7]**

In regard to Claim 7, Chu et al discloses a video and audio recording system including an internal printer having a sticker output, internal printer printing information typed the video and audio recording system by the keyboard (Figure 1 shows a label printer 82 and is further described in Column 10 Lines 17-25).

**[claim 8]**

In regard to Claim 8, Chu et al discloses a self-contained audio and video recording system further including a video background monitor adapted for being removably positioned on the openable door of the personal containment booth, the video background monitor being in communication with the video and audio recording system for playing stored music and video recordings thereon (Figure 1 shows a monitor projection system 42 wherein the user can view the output of the recording system (lyrics and other video images) as described in Column 11 Lines 22-37. Furthermore, it is noted the projection of the output streams and background images can be displayed on the background drop 34 as further described in Column 3 Lines 32-44.)

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Chu et al (US 6,086,380) in view of Bloch et al (US 4,688,105).

**[Claim 1]**

In regard to Claims 1, Chu et al discloses a self-contained audio and video recording system creating a personal compact disc for listening and viewing comprising:

- personal containment booth dimensioned for receiving more than one individual therein, the personal containment booth having an openable door exposing a hollow interior thereof, openable door having a mirror disposed on a back surface thereof, personal containment booth having a forward wall and opposed the personal containment booth having at least one chair secured therein (Figure 1 shows the personal containment booth with an open door 20 wherein at least one individual can be present in the booth as further described in Column 6 lines 31-61);
- video and audio recording system disposed within the personal containment booth, the video and audio recording system including a monitor, a hard drive, a control panel, a keyboard, video recorder, a microphone, and a speaker (Figure 1 shows the personal containment booth wherein a monitor 42, speaker 48, microphone 44, and video recorder 30 are present. It is further shown in Figure 2 a hard drive 72);

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- the monitor being capable of displaying video images thereon, the video and audio recording system delivering video images to the monitor and audio signals to the speaker, the hard drive being adapted for storing the video recordings being captured the video recorder, the audio recordings being captured by the microphone, the video and audio recordings being recordable internal tapes (Column 7 Lines 27-47 describes the function of the various components of the sound booth system and further describes the hard drive functions in Column 9 Lines 18-45);
- the video and audio recording system ejecting internal tapes, the pair of disk outputs including a compact disk output and a mini disk output (Column 7 Lines 47-65 describes the various internal tapes as well as disk output takes that are available in the system. It is further described various types of camcorders and the recording mediums associated with the camcorders are used within the system. Furthermore, it is determined that various camcorders have various recording mediums including compact disks and mini disks and thereby meeting the limitation);
- the video and audio recording system including an internal printer having a sticker output, internal printer printing information typed the video and audio recording system by the keyboard (Figure 1 shows a label printer 82 and is further described in Column 10 Lines 17-25),
- the control panel including buttons control recording and playing back of audio and video, the control panel allowing stored video and audio



recordings to be played through the monitor and speaker and edited the internal tapes; and video background monitor adapted for being removable positioned on the openable door the personal containment booth (Column 7 Lines 27-35 describes the control panel wherein buttons are used for controlling various functions and further described in Column 13 Lines 40-50);

- the video background monitor being in communication with the video and audio recording system for playing stored music and video recordings (Column 3 Lines 9-33 describes the video background monitor used for communication with the recording device as further seen in Figure 1 background 34);
- the video and audio recording system having a pair of payment activation slots therein, the slots including a currency slot (Figure 1 shows the currency insertion slot 52 and is further described in Column 7 Lines 35-47); however fails to disclose a credit card slot.

Bloch et al discloses a video recording system offering self serviced production as seen in Figure 1. The system accepts payment methods through the payment unit 17 as seen in Figure 3. The various payments that are accepted are coins, tokens, currency, and/or magnetically striped credit cards as described in Column 5 Lines 15-20. Thereby allowing users various payment options at the time of recording and thus making the machine more accessible to all users. Therefore, it would have been obvious to one of ordinary skill in the art to use the personalized recording studio, as

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disclosed by Chu et al, and further incorporate the function of accepting credit cards, as disclosed by Bloch et al.

**[claim 5]**

In regard to Claim 5, Chu et al discloses a self-contained video and audio recording system having a pair of payment activation slots therein, the slots including a currency slot (Figure 1 shows the currency insertion slot 52 and is further described in Column 7 Lines 35-47); however fails to disclose a credit card slot.

Bloch et al discloses a video recording system offering self serviced production as seen in Figure 1. The system accepts payment methods through the payment unit 17 as seen in Figure 3. The various payments that are accepted are coins, tokens, currency, and/or magnetically striped credit cards as described in Column 5 Lines 15-20.

Thereby allowing users various payment options at the time of recording and thus making the machine more accessible to all users. Therefore, it would have been obvious to one of ordinary skill in the art to use the personalized recording studio, as disclosed by Chu et al, and further incorporate the function of accepting credit cards, as disclosed by Bloch et al.

3. Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Chu et al (US 6,086,380)..

**[claim 3]**

In regard to Claim 3, Chu et al discloses a self-contained audio and video recording system wherein the openable door of the personal containment (Figure 1 shows the

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door 20 with background area 34); however, fails to disclose that the back surface is a mirror. It is well known in the art that a background can consist of many surfaces one of which is a mirror. It would be advantageous to use a mirror on the background for the user's convenience; so that the user can check his/her appearance before the recording session. Therefore, the examiner takes official notice that it would be obvious to use a mirror in the background of the self-containment recording booth.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Bozo (US 4,965,673).

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384.

The examiner can normally be reached on 7:30am-5:00pm.

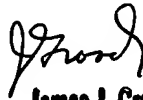
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jamie Vent  
06/24/05



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